

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. 17-CR-1235-WJ

MATTHEW WOODS,

Defendant.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW REGARDING STATEMENTS
OF CO-CONSPIRATORS**

THIS MATTER comes before the Court on the issue of whether certain statements offered against Matthew Woods may be admitted during the guilt/innocence phase of his trial. In addition to testimony from a Government witness, the Court considered the following filings:

- The Government's Notice of Intent to Introduce Evidence of Co-Conspirator Statements Pursuant to Fed. R. Evid. 801(d)(2)(E), filed December 6, 2019 (Doc. 382)
- Defendants' Joint Response to Government's Notice of Intent to Introduce Evidence of Co-Conspirator Statements Pursuant to Fed. R. Evid. 801(d)(2)(E), filed January 17, 2020 (Doc. 398)¹
- The Government's Second Notice of Intent to Introduce Evidence of Co-Conspirator Statements Pursuant to Fed. R. Evid. 801(d)(2)(E), filed June 10, 2020 (Doc. 427)
- Matthew Woods' Motion for a *James* Hearing and Response to Government's Second Notice of Intent to Introduce Evidence of Co-Conspirator Statements Pursuant to Fed. R. Evid. 801(d)(2)(E), filed June 30, 2020 (Doc. 436)
- The Government's Proposed Findings of Fact and Conclusions of Law, filed January 11, 2021 (Doc. 512)
- Matthew Woods' Response to Government's Proposed Findings of Fact and Conclusions of Law and Notices of Intent to Introduce Putative Co-Conspirator Statements, filed January 25, 2021 (Doc. 514).

¹ This Joint Response was filed prior to Cornelius Galloway and Marcus Taylor entering into plea agreements with the United States.

The Court held a *James* hearing on April 19, 2021, at which it heard the testimony of the Government's case agent, Special Agent Scott Pharis of Homeland Security Investigations ("SA Pharis"), as well as further oral arguments from the parties. Having considered the pleadings, the parties' arguments, and the evidence and testimony presented at the *James* hearing, the Court herein makes the following findings and conclusions on the matter.

The Defendants: Cornelius Galloway, Danielle Galloway, Marcus Taylor, Matthew Woods ("the Galloway Organization") are alleged to have entered into a conspiracy to commit sex trafficking in violation of 18 U.S.C. § 1591(a)(1). The object of the conspiracy was, among other things, to recruit, entice, harbor, transport, provide, obtain, and/or maintain numerous females, knowing that some were under the age of 18 and all would be caused to commit a commercial sex act. To achieve the goals of the conspiracy, the Galloway Organization employed force, fraud, threats, and coercion, all methods designed to cause the females to commit a commercial sex act.

A. Evidence of the Conspiracy and Matthew Woods' Membership Therein

Before deciding whether the Government's proffered statements are admissible as non-hearsay co-conspirator statements pursuant to Fed. R. Evid. 801(d)(2)(E), the Court must determine by a preponderance of the evidence that: (1) a conspiracy existed, (2) the declarant and Mr. Woods were both members of the conspiracy, and (3) the statements were made in the course of and in furtherance of the conspiracy. *United States v. Owens*, 70 F.3d 1118, 1123-24 (10th Cir. 1995) (citing *United States v. Urena*, 27 F.3d 1487, 1490 (10th Cir.)) (quoting *United States v. Johnson*, 911 F.2d 1394, 1403 (10th Cir.1990)). This section deals with the first two determinations.

The Court may consider the co-conspirator statements themselves, as well as independent evidence, in determining whether the conspiracy existed, but the statement cannot "by itself establish . . . [either] the existence of the conspiracy or [the defendant's] participation in it." Fed. R. Evid.

801(d)(2); see *United States v. Lopez-Gutierrez*, 83 F.3d 1235, 1242 (10th Cir. 1996); *United States v. Martinez*, 825 F.2d 1451, 1453 (10th Cir. 1987) (the Government must produce some “independent evidence linking the defendant to the conspiracy.”); *United States v. Busch*, 758 F.2d 1394, 1397 (10th Cir. 1985) (“The general rule is that the utterances and acts of one conspirator are admissible against a co-conspirator, even though the latter was not present at the time of the act or utterances, if there be evidence, independent of the utterances or acts themselves, which shows the existence of a conspiracy”).

Apart from the co-conspirator statements themselves, there exists substantial, independent evidence that the charged conspiracy existed, and that Matthew Woods was a member of this conspiracy, along with Cornelius Galloway, Danielle Galloway, and Marcus Taylor. The Government has established this by a preponderance of the evidence by way of the following:

1. Several Grand Juries have found probable cause that Cornelius Galloway, Danielle Galloway, Marcus Taylor, and Matthew Woods conspired with each other to commit a violation of 18 U.S.C. § 1591. See Docs. 2, 54, 103, 303, and 380.

2. Cornelius Galloway and Marcus Taylor have signed plea agreements wherein they state they were engaged in a conspiracy with each other, Danielle Galloway, and Matthew Woods in violation of 18 U.S.C. § 1594(c). Danielle Galloway signed a plea agreement in which she states she was a part of that same conspiracy with Cornelius Galloway, Marcus Taylor, and Matthew Woods in violation of 18 U.S.C. § 371.

3. In October 2016, Danielle Galloway brought M.V. back to the home she shared with her husband, Cornelius Galloway, where M.V. met with Cornelius Galloway and Matthew Woods. In order to force and coerce M.V. into participating in commercial sex acts to benefit the Galloway Organization, Matthew Woods beat her at that time. Shortly after, she was taken to the Howard

Johnson Inn in Albuquerque, New Mexico. M.V. refused to participate in commercial sex acts at the Howard Johnson for approximately one to two weeks. After each time she refused, Matthew Woods would come to the hotel room and beat her as punishment for failing to participate in commercial sex acts and to force and coerce her to engage in such acts in the future.

4. During a period in which K.T. was allegedly being trafficked for commercial sex, Matthew Woods hit K.T. in the head with a full can of liquid in an effort to wake her up.

5. The women recruited by the Galloway Organization would wait, or, in some instances, hide outside on the hotel room balcony while other women performed commercial sex acts in the hotel room.

6. Cornelius Galloway had pictures of several of the victims, both charged and uncharged, saved in his phone. In many of these pictures, the victims are posing in a manner consistent with being offered for sale for commercial sex. Several of the pictures appear to contain marketing material from advertisements for commercial sex.

7. A substantial number of photographs of the victims, both charged and uncharged, were found in dgalloway1023@gmail.com, an email address that the Government has sufficiently established belonged to Danielle Galloway and Cornelius Galloway.

8. Danielle Galloway booked the hotel rooms where the commercial sex acts were to occur. According to records subpoenaed from Booking.com, an account associated with Danielle Galloway, she made over thirty separate bookings in one month at several hotels in Albuquerque, New Mexico.

9. Danielle Galloway would answer the phone and speak with prospective commercial sex customers.

10. Cornelius Galloway collected all the revenue generated from the commercial sex

acts.

11. Cornelius Galloway would provide narcotics to the women.

12. The Galloway Organization advertised the women who were within the control of the organization on Backpage.com.

13. Matthew Woods was able to tell law enforcement that, when T.S. was in Albuquerque, New Mexico, rates for commercial sexual acts performed by T.S. were generally “80 to 120 [dollars].”

14. Matthew Woods revealed to law enforcement that he was aware that “Backpage don’t exist no more.”²

15. K.T. wrote a Facebook message to an acquaintance in which she explains that she is “freaking out” because “Staxx” (an alias of Matthew Woods, sometimes spelled “Staccs”) pulled a gun out an said for me to get in Backpage and stop playin’ or he’s gonna shoot me in the face.”

16. Matthew Woods also told law enforcement something to the effect of “I love women, and I love getting deals done.”

17. Marcus Taylor would drive the women to locations where they would participate in commercial sex acts. Additionally, in an effort to mollify the women, Marcus Taylor would take them shopping and to see their families.

18. In his statement to law enforcement, Cornelius Galloway admitted to being a “pimp,” and that when the women did not do what they were told he would send them to “Staxx” (Matthew Woods) who would “tune them up” (batter them).

² Backpage.com had been embroiled in several high-profile legal proceedings and government investigations prior to the federal government shutting the website down in April of 2018. It is unclear whether Mr. Woods was referring to the April 2018 shut down or some earlier interruption in the website’s services.

19. A.R. reported to the Albuquerque Police Department (“APD”) that she was raped by “Staxx” (Matthew Woods).

20. In his statement to law enforcement, Matthew Woods stated that T.S. was murdered “because she be fagging off...means she’ll disappear. She was a whore, won’t work for anyone.” Woods further told police that T.S. was working for an individual he would only refer to as “Chips Ahoy,” (a reference SA Pharis interprets as meaning Cornelius “Chip” Galloway) and that “Chips Ahoy” had other underage females working for him. Woods also stated during the interview that he is in “the inner circle,” and that he “used to get like 1,200 to pick a girl up and bring her back.” Later in the interview, Woods acknowledged that “Chip” asked Woods to “beat [T.S.] up.”

21. Matthew Woods told law enforcement that there were approximately three instances in which he “got paid to fuck T.S. up.”

22. Matthew Woods also stated to law enforcement something to the effect of “when T.S. works for everybody she comes to us.”

23. Matthew Woods admitted to hitting T.S.

24. Matthew Woods told law enforcement something to the effect of “T.S. usually got a hold of me because I’m always telling her where she goes.”

25. An individual named T.R. told law enforcement that she witnessed Matthew Woods rape T.S.

26. M.V. directly observed and heard others advise that additional women engaged in commercial sex acts on behalf of the Galloway Organization, to include Juvenile J, K.T, T.S, and “Renee.”

27. M.V. called 911 to report that Cornelius Galloway was looking for her after he had

trafficked her, and she had run away.

28. After contacting law enforcement, M.V. brought up the name “Staxx” (Matthew Woods) in her interview with APD Sergeant Matthew Vollmer.

29. Juvenile M reported being beaten by Cornelius Galloway and was forced to perform commercial sex acts.

30. K.T., M.V., T.S., Juvenile J, and Juvenile M were all posted on Backpage.com, a website used to advertise individuals for commercial sex.

B. The Co-Conspirator Statements

The following statements were made in the course of and in furtherance of the conspiracy. The statements intended to promote the conspiratorial objectives to traffic women, both minors and adults, for commercial sex.

1. Statement by Danielle Galloway to M.V., “My friend over here wants to talk to you.”

This statement was made in October 2016 by co-conspirator Danielle Galloway to M.V., while at Cornelius and Danielle Galloway’s residence on Third Street in Albuquerque, New Mexico. Danielle Galloway had just driven M.V. from M.V.’s place of employment to the residence. At the residence, Danielle stated to M.V., “**My friend over here wants to talk to you.**” M.V. was then led down a hallway to a room in which Cornelius Galloway and Matthew Woods were present. Once M.V. was in the room, Matthew Woods began to physically batter her. Both Woods and Cornelius Galloway were armed with firearms at that time.

Danielle Galloway’s statement to M.V. letting her know that her “friend” wanted to talk to M.V. was uttered to cause M.V. to go to the room wherein she was a beaten by Matthew Woods. It furthered the conspiracy because it put M.V. into the room where the “recruitment” continued.

Therefore, the statement is admissible in trial against Matthew Woods as a co-conspirator statement under Fed. R. Evid. 801(d)(2)(E).

2. **Statement by Cornelius “Chip” Galloway to M.V. about “what’s going to happen,” that M.V. is going to work for Cornelius and do what Cornelius says, and if she doesn’t Cornelius and Matthew Woods are going to beat M.V. until she cooperates.**

During the encounter discussed above where M.V. was led into the room and beaten by Matthew Woods, co-conspirator Cornelius Galloway told M.V. what he expected of her. In sum and substance, he stated the following to her, **“This is what’s going to happen. You are going to work for me (Cornelius), and do what I say. If you don’t, we are going to beat you like this until you cooperate.”** Matthew Woods was present when Cornelius Galloway made this statement to M.V.

After this encounter, M.V. remained with the Galloway Organization but refused to perform commercial sex acts on their behalf for approximately one-and-a-half-weeks. During that time, M.V. was, as Cornelius Galloway threatened, beaten by Matthew Woods. Eventually, M.V. tired of the beatings and acquiesced to the Galloway Organization’s demand that she prostitute herself for them.

This statement by co-conspirator Cornelius Galloway furthers the conspiracy because it explains to M.V. the terms of how the Galloway Organization would control and use her to further the group’s commercial sex trafficking enterprise. It is substantive evidence of the “recruitment” of M.V., and was uttered to force, coerce, and threaten M.V. to engage in commercial sex acts. Therefore, the statement is admissible in trial against Matthew Woods as a co-conspirator statement under Fed. R. Evid. 801(d)(2)(E).

3. **Cornelius “Chip” Galloway’s statements to M.V. that if she didn’t do the cocaine that was there for her, that Cornelius would have Matthew Woods come over and force her to do it, “We’ll find a way to force you, we’ll shoot you up. We’ll do whatever we have to... I don’t want to force you, you know, force it down into your body to make you happy but...”**

These statements were made by co-conspirator Cornelius Galloway to M.V. in October or November of 2016. M.V. is expected to testify that there were days when she was depressed, and instead of allowing M.V. to take her prescribed medication, Cornelius Galloway wanted her to ingest cocaine instead. Specifically, Cornelius Galloway insisted on cocaine use by stating, **“I’m going to have [Matthew Woods] come in here and force you to do it, you know. We’ll find a way to force you... we’ll shoot you up. We’ll do whatever we have to... I don’t want to force you, you know, force it down into your body to make you happy but...”**

This statement furthers the conspiracy because it was made to coerce and persuade M.V. to ingest cocaine because, in the view of the Galloway Organization, it would elevate her mood. Cornelius Galloway’s purpose was to manipulate and direct M.V.’s behavior. The Government presented evidence that in the business of sex trafficking, a prostitute experiencing the effects of cocaine, which can include a stimulant effect and increased sociability, will likely bring in more money. The Government has sufficiently established this statement was made for the ultimate purpose of causing M.V. to engage in commercial sex acts, and therefore it was made to further the conspiracy. The statement is admissible in trial against Matthew Woods as a co-conspirator statement under Fed. R. Evid. 801(d)(2)(E).

4. **Cornelius Galloway told M.V. that if she ever left, or if she ever said anything to anyone about what was happening to her, he would hunt her down, find her, and kill her.**

When asked by police what would happen if M.V. ever left the Galloways, or tried to leave, M.V. responded, **“[Cornelius Galloway] said he would hunt me down and he’d find me, and he said he would kill me.... if I ever said anything to anybody,** and that’s why I’m scared.”

This statement is direct evidence of threats and coercion by a co-conspirator and was said to

further the conspiracy by scaring M.V. into remaining with the Galloway Organization and continuing to engage in the commercial sex that brought in money for them. Therefore, the statement is admissible at trial against Matthew Woods as a co-conspirator statement under Fed. R. Evid. 801(d)(2)(E).

5. Cornelius “Chip” Galloway told M.V. to “get your ass in here... get in here ‘cause I’m going to kick your ass for leaving...You better not be calling the cops.”

The Government has already presented evidence to this Court that after M.V. escaped the Galloway Organization, Cornelius Galloway found her on November 23, 2016, and attempted to bring her back. However, upon being confronted by Cornelius Galloway, M.V. called 911. The Court has reviewed the recording of her phone call and has previously determined it to be admissible at trial. (Doc. 491). M.V. reported that Cornelius told M.V., **“get your ass in here.”** M.V. did not comply and called the police. Cornelius told M.V., **“get in here ‘cause I’m going to kick your ass for leaving.”** M.V. continued to refuse and brought the phone up within view so that Cornelius could see it. Cornelius stated, **“you better not be calling the cops.”**

In light of the prior threats discussed above (if M.V. ever left, Cornelius Galloway would hunt her down and kill her), these statements were uttered by co-conspirator Cornelius Galloway on the day he did in fact hunt M.V. down. Cornelius’ statement threatening M.V. and ordering her to get in the car was made to further the conspiracy because having M.V. in the confines of a vehicle would, of course, allow him to more easily exert control over her again. Cornelius Galloway’s statement that M.V. better not be calling the cops was made to further the conspiracy because it was uttered to thwart a report to law enforcement. Cornelius used the statement to prevent M.V. from telling anyone about what the Galloway Organization had done to her previously and intended to do to her moving forward. Therefore, the statement is admissible in trial against Matthew Woods as a co-conspirator statement under Fed. R. Evid. 801(d)(2)(E).

6. Text Messages Discussing Finding M.V.

- a. Juvenile J, 505-886-5240: "I know where [M.V.] at."
Cornelius Galloway: **"Where is she at and have that job came yet."**
Juvenile J, 505-886-5240: "No"
Juvenile J, 505-886-5240: "And she downtown"
Cornelius Galloway: **"Where is she at"**
(Exhibit 1A, lines 454-458)
Juvenile J, 505-886-5240: [sends screen shot of message with J.G. with text stating "in the car on McKight (sp) and [C]ommercial"³] (Exhibit 2)
Juvenile J, 505-886-5240: "Look it up and the car is a silver Kia rio."
Juvenile J, 505-886-5240: "And the driver side doesn't have a side mirror."
Cornelius Galloway: **"I know where it's at I'm headed there right now."**
(Exhibit 1A, lines 459-461)

These messages were sent on November 23, 2016 at 3:18 am, less than an hour prior to the report referenced above during which Cornelius Galloway confronted M.V. The text messages from co-conspirator Cornelius Galloway are admissible because they were made to further the conspiracy in that their purpose was to ferret out the whereabouts of M.V. As such, the messages are admissible at trial against Matthew Woods as co-conspirator statements under Fed. R. Evid. 801(d)(2)(E). Furthermore, the messages from Juvenile J, who used several different phone numbers over the course of indicted period, are admissible because they are not offered for the truth of the matter asserted, but to put Cornelius Galloway's statements in context. *See United States v. Cesareo-Ayala*, 576 F.3d 1120, 1128–29 (10th Cir. 2009).

7. Cornelius "Chip" Galloway told T.S.: "Bitch I'll kill you, bitch". "Sit back before I beat your ass, I'll blow your shit off your fucking head."

The Government will introduce these statements at trial through its witness Danielle Galloway, whom the Government claims was present when Cornelius Galloway initially made these statements to T.S.⁴ Post-arrest, Cornelius Galloway repeated these statements to law enforcement and added that

³ This text message does not appear in Exhibit 1A because it was an MMS message. In other words, because Juvenile J sent a picture instead of text, it was recorded in another section of the phone dump.

⁴ In the original briefings, it appeared that the Government was attempting to admit these statements with only

he would never actually take these actions against T.S.

Regardless of his true intentions, co-conspirator Cornelius Galloway made these statements to T.S. to further the conspiracy. They are threats of violence made to control her behavior. Controlling her behavior is an important aspect of sex trafficking T.S. Threats and violence are an element of the crimes charged. Therefore, the statement is admissible at trial against Matthew Woods as a co-conspirator statement under Fed. R. Evid. 801(d)(2)(E).

8. Cornelius “Chip” Galloway asked Matthew Woods to beat T.S. up.

Defendant Matthew Woods stated to police that **“Chip” had asked him to “beat [T.S.] up.”** This information came after discussing the perception that T.S. had been “fagging off”⁵ and “won’t work for anyone.” Cornelius Galloway was a co-conspirator, and his request that Matthew Woods beat T.S. was made in the course of the conspiracy and also furthered it by effecting physical punishment upon T.S. for her behavior that was deemed counterproductive to the Galloway Organization’s objectives, i.e. “fagging off.” The Court heard extensive testimony regarding the timing and nature of Matthew Woods’ statements to police regarding these interactions with Cornelius Galloway. Consequently, it finds that the Government has sufficiently established Cornelius Galloway made these statements under the circumstances described above. Therefore, statements by which Cornelius Galloway requests that Matthew Woods batter T.S. due to her noncompliant behavior and actions are admissible at trial against Matthew Woods as co-conspirator statements under Fed. R. Evid. 801(d)(2)(E).

9. Statement by Cornelius Galloway to Danielle Galloway regarding Juvenile M

evidence of Cornelius Galloway’s repeated statements to APD Sergeant Vollmer. This posture allowed Defense counsel to raise a viable objection pursuant to the Confrontation Clause and the *Crawford* doctrine. At the hearing, the Government placed on the record that Danielle Galloway was present when Cornelius made these statements to T.S. and, as such, these statements may be admitted via Danielle’s testimony as non-testimonial co-conspirator statements.

⁵ The term “fagging off” is a slang term in the sex trafficking industry that means that a victim has run away or left her trafficker.

that “She’s good to go.”

At some point between December 2016 and February 2017, Cornelius Galloway and Marcus Taylor recruited Juvenile M. to prostitute for the Galloway Organization. At the end of the conversation/recruitment, it was necessary for someone to advise Danielle Galloway whether Juvenile M. would be commencing “work.” Therefore, Cornelius Galloway advised Danielle Galloway regarding Juvenile M. that “**she’s good to go.**” which SA Pharis testified he interpreted as meaning that Juvenile M was ready to begin engaging in commercial sex work. Upon being “good to go,” Danielle could start making her arrangements to advertise Juvenile M. and arrange rooms where the sex acts would occur. The basic purpose of making this statement was for Cornelius to let another co-conspirator, Danielle Galloway, know that they had an additional girl to sell. This communication was made in the course of and in furtherance of the conspiracy. Therefore, the statement is admissible at trial against Matthew Woods as a co-conspirator statement under Fed. R. Evid. 801(d)(2)(E).

10. Statement by Marcus Taylor to Cornelius “Chip” Galloway communicating to Cornelius Galloway to stop beating Juvenile M

In or near the early part of 2017, Juvenile M was fighting with another unnamed victim who was also being trafficked by the Galloway Organization. As punishment for fighting with each other, Cornelius Galloway beat the two of them at Matthew Woods’ residence with what was perceived by some to be an electrical cord. Danielle Galloway and Marcus Taylor were outside the apartment listening to the beating. At some point, it was described to have gotten so bad that Marcus Taylor had to go inside and **tell Cornelius to stop.**

Marcus Taylor’s communication to fellow co-conspirator Cornelius Galloway to stop the beating was made in the course of the conspiracy because it ultimately dealt with financial and business considerations. If Juvenile M. had been hurt to the point of being unable to “work,” it would have

adversely affected the Galloway Organization's business. SA Pharis testified that, from the perspective of sex traffickers, a beaten woman may, to some prospective buyers, have less appeal than one who was not bruised and battered. Since some customers plausibly may not wish to engage in commercial sex with a woman who appeared to have been beaten up, the revenue stream to the Galloway Organization was at risk. Therefore, Marcus Taylor telling Cornelius Galloway to stop the beating furthered the monetary interests of the conspiracy, and this statement is admissible in trial against Matthew Woods as a co-conspirator statement under Fed. R. Evid. 801(d)(2)(E).

11. Cornelius "Chip" Galloway's statements to Danielle Galloway that he wished to continue giving narcotics to an uncharged victim, despite the fact that she was pregnant.

One of the uncharged victims became pregnant, a development that spawned a discussion between Cornelius and Danielle Galloway concerning whether the Galloway Organization should continue to provide narcotics to the pregnant victim. The Government will present evidence that Cornelius Galloway told Danielle Galloway that he wished to continue to provide narcotics to this woman despite the fact that she was pregnant. The Government sufficiently established that this statement was made in furtherance of the conspiracy because it allowed the Galloway Organization to continue to use narcotics to control the woman for the purpose of ensuring that she would continue to engage in commercial sex. At this point, there is no reason to find that Cornelius Galloway made this statement in an effort to further objectives unrelated to the conspiracy (e.g. profits from sales of recreational drugs). Therefore, such a statement is made in the course of and in furtherance of the conspiracy, and it is admissible at trial against Matthew Woods as a co-conspirator statement under Fed. R. Evid. 801(d)(2)(E).

12. Danielle Galloway's Facebook post to T.S., "Dog Pen [T.S.]"

The Government will present evidence at trial that the Organization placed one of its victims, T.S., inside what witnesses will describe as a dog cage or pen as punishment for failing to abide by the Galloway Organization's rules. Afterward, co-conspirator Danielle Galloway posted the words, "**Dog Pen [T.S.]**" on T.S.'s Facebook page. This is not an instance of two acquaintances using the social media platform to stay in touch. Rather, this statement made by co-conspirator Danielle Galloway communicates the consequences of T.S.'s alleged misbehavior or noncompliance. These words are written to exert control over a victim. Furthermore, the statement was made to a wide audience that included T.S. and everyone with access to T.S.'s Facebook page, and therefore is written with plausible knowledge that other victims would read it, and it would act as a warning to them as well. The statement not only furthers the conspiracy with respect to T.S., but also with respect to any other victims who might also read it. Therefore, the statement is admissible at trial against Matthew Woods as a co-conspirator statement under Fed. R. Evid. 801(d)(2)(E).

13. Text messages between Cornelius Galloway and Prospective Buyers of Commercial Sex.

The text messages put forth in subsections 13, 14, 15, and 16 are found in Government Exhibit 1A, which catalogues incoming and outgoing text messages found on Cornelius Galloway's cell phone. Exhibit 1A uses a color-coded system that identifies the author of each message. Cornelius Galloway's text messages are keyed to a gray background. The text messages in the white background are authored by unknown prospective buyers of commercial sex ("johns"). The messages from johns are soliciting commercial sex on their face. The vast majority of them begin as apparent inquiries to online commercial sex advertisements. A number of them also begin within minutes of a prior text conversation that discusses or references posting an advertisement.

Cornelius Galloway's side of the conversations with the johns consists of him pretending to be the female advertised online (although the unnamed john in conversation '1' is aware that he is

communicating with Mr. Galloway). Cornelius Galloway informs the johns of where to go, how much to pay, and what kinds of sex acts they can perform with the women. Occasionally Cornelius Galloway asks about law enforcement affiliation, and screens for customers he perceives not to be serious. These statements by Cornelius Galloway are direct evidence of him selling sex by managing the flow of customers and negotiating price. Thus, they were made in the course of and in furtherance of the conspiracy.

The johns' statements are admissible for their non-hearsay contextual value, specifically, their ability to demonstrate that Cornelius Galloway's statements were made during the course of and in furtherance of the conspiracy. *See Cesareo-Ayala*, 576 F.3d at 1129 (finding that statements that "may well support an assertion of the prosecution" are not hearsay under Rule 801(c) because they were not admitted for their truth, but rather to establish that a business relationship existed between the declarants and to put the defendant's statements in context); *see also State v. Jackson*, 2018-NMCA-066, ¶ 21, 429 P.3d 674, 682 (finding under state rules of evidence, identical to the corresponding federal rules, that text messages from prospective customers of commercial sex "were not offered for their truth—that the price for services was \$150 per hour or that Tiffany was in a certain location at a certain time. Rather, those statements were offered to provide context and establish that Defendant and Tiffany were motivated by money to set up commercial sexual transactions"). Moreover, the vast majority of the johns' text messages are non-assertive statements or questions. *See United States v. Lewis*, 902 F.2d 1176, 1179 (5th Cir. 1990) (questions asked by an unknown caller, like most questions and inquiries, are not hearsay because they do not, and were not intended to assert anything), *see also United States v. Jackson*, 88 F.3d 845, 847–48 (10th Cir. 1996) (the question, "Is this Kenny?" cannot reasonably be construed to be an intended assertion, either express or implied).

a. Unknown john, 505-440-1049: Bare allowed baby? (line 93)

Cornelius Galloway: **Yes** (line 94)
Unknown john, 505-440-1049: Hotness baby
Unknown john, 505-440-1049: where u by and what are your rates like??
Cornelius Galloway: **Area by University and Menaul donations start at 80 qv 100 hh 200 hr**
Unknown john, 505-440-1049: Cum deep in u and all? Cause that's not far at all
Cornelius Galloway: **Okay babe**
Unknown john, 505-440-1049: Cum in?
Unknown john, 505-440-1049: Just lemme know miss cutie
Cornelius Galloway: **Come on I'm ready now babe**
Unknown john, 505-440-1049: Cool. Headed up your way now
Cornelius Galloway: **Ok**
(Exhibit 1A, lines 16-26)

- b. Unknown john, 505-312-5855: Hey Indica u free?
(Id, line 28)
- c. Unknown john, 505-567-8794: Hi
Cornelius Galloway: **Hello**
Unknown john, 505-567-8794: Come see me baby
Cornelius Galloway: **Where**
Unknown john, 505-567-8794: Or I can come to you
Cornelius Galloway: **Car visit only if you come to me**
Unknown john, 505-567-8794: Only if we get a good spot... I'm kinda new here so yea. You sure car visit?
Cornelius Galloway: **Okay meet me around San Mateo and Kathryn**
Unknown john, 505-567-8794: I'm not ok with car visit.. it's day and idk
Unknown john, 505-567-8794: I got a room but my friend is there... a guy friend he's also doing his thang looking for a girl
Cornelius Galloway: **Okay I can bring a friend**
Unknown john, 505-567-8794: Is she as young as you or. I'm 22 he's 23.
Cornelius Galloway: **She's actually 20 with hazel eyes**
Unknown john, 505-567-8794: Send a pic to him.. 5055708748
Cornelius Galloway: **Sorry no pics**
(Id, lines 29-43)
- d. Unknown john, 505-913-7332: hi Hazel are you available?
Cornelius Galloway: **Yes I am**
Unknown john, 505-913-7332: nice. What's your height n weight?
Cornelius Galloway: **55 125 Haywood hazel eyes**
Unknown john, 505-913-7332: Haywood?
Unknown john, 505-913-7332: are you 420 friendly?
Cornelius Galloway: **Yes**
Unknown john, 505-913-7332: would you do a 1 hour 2 pop session for 160 for a college student?

Cornelius Galloway: Sorry prices are firm
Unknown john, 505-913-7332: ok thank you hun!
Cornelius Galloway: No problem
(Id, lines 44-54)

e. Unknown John, 505-847-8721: Hello hun how are you
Cornelius Galloway: Hey
Unknown John, 505-847-8721: Hi sexy I available?
Unknown John, 505-847-8721: U
Cornelius Galloway: What's up
Unknown John, 505-847-8721: Not much and u?
Cornelius Galloway: Working well trying to
Unknown John, 505-847-8721: Well that's why I'm here lol
Cornelius Galloway: Ho much time u need
Unknown John, 505-847-8721: a hr
Cornelius Galloway: The donation for a hour is 200 incall or outcall
Unknown John, 505-847-8721: ok that's fine are you a cop or any type of law
Unknown John, 505-847-8721: I can do 200
Cornelius Galloway: No I hate cops are u ???
Unknown John, 505-847-8721: Fuck no and where u tay at
Cornelius Galloway: Im located at the motel 6 on ceasar Chavez
Unknown John, 505-847-8721: Pic to prove that's u
Unknown John, 505-847-8721: N not a cop
(Id, lines 55-72)

f. Unknown john, 505-780-9858: Is this nicolen
Cornelius Galloway: Yes this is Nicole
Unknown john, 505-780-9858: Do u have condoms
Cornelius Galloway: Yes
Unknown john, 505-780-9858: This is jus for fun right?
Cornelius Galloway: what do you mean for fun
Unknown john, 505-780-9858: Like jus for sex
Cornelius Galloway: I don't understand what you are talking about
Unknown john, 505-780-9858: It's Jus sex right
Cornelius Galloway: Yes and how long
Unknown john, 505-780-9858: Are u in a hurry?
Cornelius Galloway: Yes I am and I do not like to waste time
(Id, lines 73-84)

g. Unknown john, 505-312-1557: Good Morning beautiful Nicole
(line 97)
Unknown john, 505-312-1557: Nice lol well how did I sleep then?
Cornelius Galloway: What's up
Unknown john, 505-312-1557: Ok straight to it which is good , when ar

you free and what are your rates

Cornelius Galloway: **Free right now qv80 hh100. Hr 180**
(Id, lines 104-107)

h. Unknown john, 505-697-1635: Hi hazel. Are you available now?

Cornelius Galloway: **Yes**

Unknown john, 505-312-1557: Do you have incall? Rates?

Cornelius Galloway: **Yes qv 80 hh100 hr200**

Unknown john, 505-312-1557: Where is your incall generally?

Cornelius Galloway: **Bridge and 1-25 area**
(Id, lines 98-103)

i. Unknown john, 505-485-2933: Hi is this hazel?

Cornelius Galloway: **Yes it is**

Unknown john, 505-485-2933: How are you cutie

Cornelius Galloway: **Okay**

Unknown john, 505-485-2933: Just ok? Are you available

Cornelius Galloway: **Yes I am for outcalls only**

Unknown john, 505-485-2933: Ok. How much
(skip)

Cornelius Galloway: **For a quick visit \$80 donation for a half hour \$120 donation and for a full hour a \$200 donation**
(Id, lines 168-175)

j. Cornelius Galloway: **I'm outside in the parking garage**

Cornelius Galloway: **I'm here hello**

Unknown john, 505-225-2323: just so I know its you, go to the stop sign
and go back

Unknown john, 505-225-2323: Okay its not you

Cornelius Galloway: **You have wasted my time having me come way out here I will make sure that you will not get another girl on Backpage.**

Unknown john, 505-225-2323: you weren't there

Unknown john, 505-225-2323: at the stopsign

Cornelius Galloway: **I am riding with somebody that was dropping me off and picking me up**

(Id, lines 176-183)

k. Unknown john, 505-399-3211: R u available now??

Cornelius Galloway: **Yes I am**

Unknown john, 505-399-3211: Where are you located

Cornelius Galloway: **1-25 and Cesar Chavez the Motel 6**

Unknown john, 505-399-3211: I can be there in about 10 min.. Cool?

Unknown john, 505-399-3211: I have \$90 now

Cornelius Galloway: **The for a quick visit right**

Unknown john, 505-399-3211: Umm. Yeah, it's going to be fun right?

Unknown john, 505-399-3211: ??

Cornelius Galloway: **Yes it will be worth your time**
(Id, lines 245-254)

Unknown john, 505-399-3211: Around the corner

Unknown john, 505-399-3211: Your not black??
(Id, lines 256-257)

Cornelius Galloway: **No I'm not black and are you affiliated with any law enforcement?**
(Id, line 259)

Unknown john, 505-399-3211: No

Unknown john, 505-399-3211: Will you wear something sexy for me
(Id, lines 261-262)

Unknown john, 505-399-3211: I'm pulling up babe At the stop light

Cornelius Galloway: **Okay I'm waiting**
(Id, lines 264-265)

Unknown john, 505-399-3211: I'm here
(Id, line 267)

Unknown john, 505-399-3211: Where do I go

Cornelius Galloway: **243**

Unknown john, 505-399-3211: K coming up
(Id, lines 269-271)

- I. Unknown john, 918-734-9045: I want that Mexican chicc cuhz dame I like dat brx

Cornelius Galloway: **Which one**

Unknown john, 918-734-9045: The one layn on that bed cuhz omg

Cornelius Galloway: **Renee**

Unknown john, 918-734-9045: Yes i want her cuhz dame

Unknown john, 918-734-9045: Dame cuhz

Cornelius Galloway: **You can have her if the price is right**

Unknown john, 918-734-9045: Negative brx

Cornelius Galloway: **You know you wouldn't have to pay for her**

Cornelius Galloway: **Call me we need to talk about some business**
(Id, lines 531-541)

14. Text messages between Cornelius "Chip" Galloway and the victims, named and unnamed.

Cornelius Galloway also engages in a number of text messages with women who are "working" for him as prostitutes. Specifically, he engages in conversations with K.T. (color keyed in light pink on Government Exhibit 1A), M.V. (fuschia), T.S. (lavender), and Juvenile J (purple). He also engages with a number of women who are not named as victims in the indictment, but are identifiable

within the context of the messages themselves, and through reports by victims. These women include Renee (bright green), and Renee 2 (blue). There are also a few other phone numbers of individuals who are clearly, from the face of the messages, engaged in commercial sex for the Galloway Organization, but because Cornelius Galloway had no contact information saved, are unidentifiable. It is likely they are not “new” girls but are different numbers for the women already named in this paragraph. The text messages authored by the victims are admissible for their contextual value.

The content of these conversations is generally the same and includes telling the women when they have dates, where they should go, and ensuring their cooperation. The Government has selected the following to present to the jury:

- a. Cornelius Galloway: **what’s up what you got**
 K.T., 505-231-7824: ok in ready to make \$\$
 K.T., 505-231-7824: Im sick of this shit already but wen I ask u or marcus for help I get ignored. Please chip. Idc if I dnt get high for week’s I promise I wont fuhk up.
 (Exhibit 1A, lines 1-3)

This message, sent on September 5, 2016, shows Cornelius Galloway checking in with victim K.T. about whether or not she will be working for him. K.T.’s messages are admissible because they are not being presented to prove the truth of the matter asserted. In other words, the Government will not be proving that indeed, K.T. is “sick of this shit,” or that she doesn’t care if she gets high for a week, or that she “wont fuhk up.” The statements are coming in to show recruitment by Cornelius Galloway, and that there is a connection between Cornelius Galloway and Marcus Taylor. The statement by Cornelius Galloway is indicative of recruitment of K.T. and is made to further the conspiracy to sex traffic K.T.

- b. 505-203-1506: I need the Backpage account info
 Cornelius Galloway: **She doesn’t have one make her one and use my email address which is dgalloway1023@gmail.com**
 505-203-1506: What is her ethnicity

505-203-1506: Is she native
Cornelius Galloway: talk about it I'm finna pull up in 2 minutes
Cornelius Galloway: No she's from India
505-203-1506: Ok
Cornelius: Outside
505-203-1506: what's your email password so I can login
505-203-1506: How old is she
Cornelius Galloway: What is the password
Cornelius Galloway: Kipenrod88@comcast.net redbo2007
(Id, lines 4-15)

- c. Cornelius Galloway: what's up
T.S., 575-291-3706: We got a problem the backpage site is blocked on the hotel site tried all kinds of different loops all blocked so I can't post myself
Cornelius Galloway: Don't worry about it already got you posted just stay by your phone
T.S., 575-291-3706: Okay I'm on my text app did I post Rae under her number yet ?? Because I'm using her phone for my text app it's faster and don't take forever so let me know so I can log her back inn on her phone if u posted her number for her
Cornelius Galloway: Don't worry about that neither I got a poster too
T.S., 575-291-3706: Okay thanks
Cornelius Galloway: You better get your ass on that Backpage because I know for a fact that you can post from that hotel
T.S., 575-291-3707: Nope just tried I just sent u the screen shot
(lines 382-389)
T.S., 575-291-3706: Did u get the screen shot so ikr what to do
Cornelius Galloway: Fucking go to sleep I or go walking get some money
Unknown john, 505- 250-1196: nice message. Wow
Cornelius Galloway: Oops wrong person
(Id, lines 85-96)

These texts were written in late September 2016. The messages themselves, as well as SA Pharis' testimony, establish that co-conspirator Cornelius Galloway was directing the advertisement of women on the website Backpage.com, as well as posting the advertisements himself. These statements were made in furtherance of the conspiracy. When T.S. tells him she cannot access the Backpage website, Cornelius responds with an intent to instruct her to either go to sleep or go "walking"⁶ to get some money. Despite the fact that this message (line 94) was sent to an unintended

⁶ The Government asserts that to go "walking" in this context is to solicit money for sex by walking on the street

recipient, the statement was made in the course of the conspiracy, and was made to further the money making endeavors of T.S. by ordering her to go “walking.”

- d. T.S., 575-291-3706: Are u coming back to check out in a few
Cornelius Galloway: **I'm up here right now getting a room again but v'all going to beat your feet today.**⁷
(Id, lines 108-109)
- e. T.S., 575-291-3706: That other date was bullshitting
Cornelius Galloway: **Keep trying you know what I told**
(Id, lines 110-111)
- f. T.S., 575-291-3706: Did you repost her
Cornelius Galloway: **Yeah**
(Id, lines 112-113)
- g. Unknown victim, 505-589-2767: I might have a 100 dollar incall if the guy. Is not bsing tight now he said he on Juan tabo.
Cornelius Galloway: **Okay**
(Id, lines 114-115)

Conversations ‘d’ through ‘g’ contain statements by Cornelius Galloway that are made with an intent to cause and encourage the victims to engage in commercial sex. These statements were made in furtherance of the conspiracy.

- h. Unknown victim, 505-589-2767: Hey is my soda in there and it is hot in here fr fr⁸
Cornelius Galloway: **Come get it**
(Id, lines 117-117)
- i. Cornelius Galloway: **Where are you at**
K.T. 505-570-6178: Ur brothers
K.T. 505-570-6178: Im sick im not gnna take a cold shower chip ima get sicker..
K.T. 505-570-6178: Mane Im Finna Leave..
K.T. 505-570-6178: Ima go take a shower at Albert's please
Cornelius Galloway: **Take your ass to Albert bring your ass right back I don't want to come looking for you**
K.T. 505-570-6178: Ok I need some medicine to..

and attracting customers as they pass by.

⁷ The Government believes that in this context to beat ones feet means to walk the track to solicit money for sex.

⁸ The Government believes that “fr” is an abbreviation for “for real.” Therefore “fr fr” would mean “for real for real

Cornelius Galloway: **Okay**
(Id, lines 118-125)

- j. K.T. 505-570-6178: Idk wat tobi is doin my phone finna die
K.T. 505-570-6178: want [us] to come back ??
K.T. 505-570-6178: Im getting calls now tho.
Cornelius Galloway: **Tell Tobe to stay that way I don't know girl you come back round here**
K.T. 505-570-6178: To stay wat way and u and me to come back
K.T. 505-570-6178: My phone bouta die an I have a date comin up for a qv
K.T. 505-570-6178: An I need a dub of hard
Cornelius Galloway: **What I do I'm on my way to get**
K.T. 505-570-6178: My phone bouta die an I have a date comin up for a qv
Cornelius Galloway: **I'm on my way to get you**
K.T. 505-570-6178: OK im by Louisiana
Cornelius Galloway: **Okay be right there**
(Id, lines 126-137)
- k. T.S., 575-291-3706: I. Am already with the John
Cornelius Galloway: **Hurry the fuck up**
T.S., 575-291-3706: Oh was literally right next door
T.S., 575-291-3706: On my way to seven eleven
Cornelius Galloway: **Man hurry up**
(Id, lines 138-142)

Conversations 'h' through 'k' contain statements by co-conspirator Cornelius Galloway that exert some control over the victims. He is dictating the victim's access to food, showers, and generally exercising control over their actions, schedules, and movements around town. Conversation 'i' demonstrates that Cornelius Galloway exerts control over K.T. through narcotics as it shows Cornelius Galloway agreeing to give her "medicine" to keep her from getting "sicker."⁹ These statements were made in furtherance of the conspiracy.

- l. Unknown victim, 505-589-2767: 50 are around be careful
Cornelius Galloway: **Okay**
(Id, lines 143-144)

⁹ SA Pharis testified that in his training and experience have taught him that K.T.'s pronouncement of "Im sick" and "ima get sicker" indicates that she was experiencing withdrawal symptoms. In this context, the "medicine" she asks for likely refers to the "dub of hard" (\$20 worth of heroin) she speaks of in conversation 'j.' SA Pharis also testified that if K.T. was experiencing withdrawal symptoms, she likely would not be able to make money for the Galloway Organization, incentivizing Cornelius Galloway to provide her with narcotics. Cornelius Galloway's statement "bring your ass right back I don't want to come looking for you" is evidence of this incentive.

The term “50” is believed to be a common slang term for police, pronounced 5-O (using the letter O as opposed to a zero). In the above message 1., Cornelius Galloway is stating his acknowledgement that there are police around, and that he will be careful. This furthers the conspiracy because it is uttered for the purpose of evading detection by law enforcement.

- m. K.T. 505-570-6178: Where do I go wen im done
 K.T. 505-570-6178: Im gettim some calls yo
 K.T. 505-570-6178: To*
 Cornelius Galloway: **Go to my brother's house**
 K.T. 505-570-6178: Omg I only got \$10 off this mfr im leavin
 Cornelius Galloway: **You only got \$10 right now you trying to play me cheap bitch**
 K.T. 505-570-6178: No im not chip tf why would I try an play u.. that makes no sence this dude was playin so I hopped out wit his \$10
 K.T. 505-570-6178: Im tryin I out here trynna do something .. its rainin an I feel terrible..
 Cornelius Galloway: **I'm finna go get you some DayQuil so you can get will and stay up**
 K.T. 505-570-6178: Please .. that's all ive been askin an im sorry for not keepin in contact but if I knew u wasn't gnna fuhk me up wen things dnt work out I wouldn't be scared an wanna avoid u
 K.T. 505-570-6178: I love yall I really do an I appreciate yall soo much an I actually WANNA help us all ehat
 Cornelius Galloway: **Okay let's**
 K.T. 505-570-6178: I will do anything yall ask me to an yall kno that im 1000% loyal to yall.. yall all I got out here
 Cornelius Galloway: **We just want you to do right by us and right for yourself**
 (Id, lines 145-158)
- n. Cornelius Galloway: **I am going to go get you some medicine now and sleep tonight and be ready by tomorrow**
 K.T. 505-570-6178: Ok
 (Id, lines 159-160)
- o. Cornelius Galloway: **I'm a fuck you real bad when I catch you and tell that nigga staces to answer the motherfucking phone or I'm going to fuck him up to.**
 (Id, line 161)

Conversations ‘m’ through ‘o’ highlight an interaction with victim K.T., wherein Cornelius

Galloway suspects she is withholding money from him. At the same time he is dictating where she must go (SA Pharis testified that here “brother” referred to Marcus Taylor) and arranging for her to get back on track by giving her a pep talk and securing her some medication so that she can feel better and stay up, presumably to continue engaging in commercial sex acts and making money. However, the statement in ‘o’ indicates that matters were not mended, and Cornelius is threatening violence on K.T. for her non-compliance. These statements were made in furtherance of the conspiracy.

- p. T.S., 575-291-3706: Wya
 Cornelius Galloway: what’s up
 Cornelius Galloway: You ready to come back yet
 (Id, lines 162-164)

The text messages as a whole track several instances over the charging period where some victims have left and come back. Conversation ‘p’ is an example of a communication Cornelius Galloway has with T.S. where he broaches the prospect of her coming back to work. This statement is indicative of recruitment, or re-recruitment, of T.S., and furthers the conspiracy by extending an invitation to come back. The invitation was eventually accepted by T.S., as seen in text messages below.

- q. Cornelius Galloway: Tell your homeboy the one he really wanted is with me in the you can stay over there nobody wants your nasty ass anyway but know that you can’t walk around the hood.
 (Id, line 167)

Message ‘q’ is an example of aggressiveness of co-conspirator Cornelius Galloway aimed at one of the victims. It’s disrespectful nature, and prohibition on free movement, is evidence of coercion and threats used in the sex trafficking scheme. This message was made in furtherance of the conspiracy.

- r. Renee 1, 505-582-9802: Hey I jus got out a shower getting ready now k
 Cornelius Galloway: My wife on the way to get you right now
 Renee 1, 505-582-9802: Ok

Renee 1, 505-582-9802: ... Do I take my stuff? Like are we checking out this room??..

Cornelius Galloway: **No keep your stuff in the room.**
(Id, lines 184-188)

- s. Renee 1, 505-582-9802: K I'm in
Cornelius Galloway: **Okay come and check up on you in a bit**
Renee 1, 505-582-9802: Later On Will Yu Bring My Make Up N Toog Brush Lol
Cornelius Galloway: **Yeah I'll be right back**
Renee 1, 505-582-9802: K thank yu guys ... So did tht guy leave??
Cornelius Galloway: **Yeah**
Renee 1, 505-582-9802: Umm A Sprite .. A plain cheese burger j small fry..? N sum ketchup packets lol
Cornelius Galloway: **Come down here**
(Id, lines 189-196)
- t. Cornelius Galloway: **Get ready**
Renee 1, 505-582-9802: K..like How long do I got...? N how much time ? An hr..?
Cornelius Galloway: **I will be there in like 15 minutes and hour is 200**
Cornelius Galloway: **Were outside**
Renee 1, 505-582-9802: K.. Do I oo down or wut...?
Cornelius Galloway: **Yeah come on and hurry yup**
Renee 1, 505-582-9802: Do I jus wait or wut...?
Cornelius Galloway: **Come get back in**
Renee 1, 505-582-9802: where Yu At??
Cornelius Galloway: **On the way u done**
Cornelius Galloway: **On the freeway comim for u now b there**
(Id, lines 197-207)

Conversations 'r', 's', and 't' are indicative of Cornelius Galloway's maintenance of his victims. He tells them what to do with their items, brings them personal hygiene supplies, and food. Conversation 't' also shows his decision making in when his victims do dates and how much they should charge. Conversation 't' also indicates he is transporting this victim as well. All of this is done in the course of the conspiracy to further the main objectives of the conspiracy.

- u. Cornelius Galloway: **He on the way up**
Renee 1, 505-582-9802: Yea I been done
Renee 1, 505-582-9802: I mean he got here late lol
Renee 1, 505-582-9802: Wait so am I done for the night..? Er Wut...?
Cornelius Galloway: **Hey another one coming in 30. To 45 min for two hours coming from las lunas**

Renee 1, 505-582-9802: TWO HOURS?! ... Fuuck Alright .. How Much Am I Supposed To Get..?

Cornelius Galloway: 400

Renee 1, 505-582-9802: Fuck ok lemme Kno when they almost here k

Cornelius Galloway: Ok he coming in 30 or so ans another one on the way not for 30 min

Cornelius Galloway: 100

Renee 1, 505-582-9802: Fuck alright
(Id, lines 208-217)

- v. Renee 1, 505-582-9802: Hey Jus Lettin Yu Kno, Those 2 Never Came...? K

Cornelius Galloway: Yea! just go head and go to sleep will be there in the morning.

(Id, lines 218-219)

- w. Cornelius Galloway: Got you an appointment in about 15 minutes for 150

Cornelius Galloway: At 11 too

Renee 1, 505-582-9802: At 11 wut

Cornelius Galloway: Another one

Renee 1, 505-582-9802: Wait another??

Cornelius Galloway: He said he would be thwre at 11

Renee 1, 505-582-9802: Ok but there's not one coming now right..?

Cornelius Galloway: No

Renee 1, 505-582-9802: K... How long n how much

Cornelius Galloway: Ill let u no once he texts baxk

(Id, lines 220-229)

- x. Cornelius Galloway: Get reasdy someone ia a about to be there

Renee 1, 505-582-9802: How long

Cornelius Galloway: Half an hour 150

(Id, lines 230-232)

- y. Cornelius Galloway: Get rid of somebody's on my way over there for a quick visit which is 100

Cornelius Galloway: Now you know what you supposed to do I have called and text and called the hotel room

Renee 1, 505-582-9802: He's in bathroom Guna leave now

Cornelius Galloway: Come on bring your phone condom

Renee 1, 505-582-9802: Ok lemme use bathroom real wuivk

Cornelius Galloway: Ok

Cornelius Galloway: Come on

(Id, lines 233-239)

- z. Cornelius Galloway: Get ready to go to the store

Renee 1, 505-582-9802: Ok ... how long do I got..? Cuz I been being lazy Lol

Cornelius Galloway: **Like 15 10 minutes**

Renee 1, 505-582-9802: Fuck really im guna take a quick shower k

Cornelius Galloway: **Hurry up you had all day to do that shit LOL**
(Id, lines 240-244)

aa. Cornelius Galloway: **You have somebody coming for a quick visit for 90**
(Id, line 255)

Renee 1, 505-399-5987: How long til they here..? (Id, line 258)

Cornelius Galloway: **Like 20 to 30 minutes** (Id, line 260)

Renee 1, 505-399-5987: K (Id, line 263)

Cornelius Galloway: **He's pulling up** (Id, line 266)

Renee 1, 505-399-5987: Ok (Id, line 268)

Renee 1, 505-399-5987: He only have me 88 k...?

Cornelius Galloway: **Okay I'm on my way**

Renee 1, 505-399-5987: k
(Id, lines 272-274)

Conversations 'u' through 'aa' demonstrate how Cornelius Galloway schedules his victims' days. He tells them when their dates are coming, how long they will last, how much they will pay, and when they are done for the day. His statements are the catalyst for the commercial sex acts, and are therefore made in the course and in furtherance of the conspiracy.

bb. Cornelius Galloway: **You ready to stop bullshittin**

K.T., 505-306-4754: Yes but I don't wanna walk the track an shit in still regular ol me I will comply but I aint tobi

Cornelius Galloway: **You don't have to walk the track at all there's no money on the track**

K.T., 505-306-4754: Ok that's the only reason I tripped an you don't gotta be aggressive wit me it works better I promise I don't lik how Yall didn't see me as a friend no more

K.T., 505-306-4754: cause that's all it is im doin it so we can all eat

Cornelius Galloway: **when I come to the hood I'm going to pick you up and we're going to talk about it okay**
(Id, lines 275-280)

Conversation 'bb' shows the re-recruitment of victim K.T., in light of their previous communications (see conversations 'm', 'n', and 'o' above). Co-conspirator Cornelius Galloway's question of whether she is "ready to stop bullshittin" is a reference to her previous non-compliance. He then proceeds to sweeten the proposition by telling her she does not have to walk the track this

time. Upon hearing K.T. still has concerns about his aggressiveness, he states he wants to have a discussion about that aspect of their arrangement. Galloway's statements are made to cause K.T. to re-initiate her prostitution work, and thus further the conspiracy.

cc. Cornelius Galloway: **What's up**
Renee 1, 505-399-5987: Nobody came
Cornelius Galloway: **He went to the wrong Hotel so he's on his way now**
Renee 1, 505-399-5987: ok
Cornelius Galloway: **Is he gone yet**
Renee 1, 505-399-5987: Yup was jua tryna text yu
Cornelius Galloway: **I will be there in a little bit**
Renee 1, 505-399-5987: K... did yu ever get any stuff..?
Cornelius Galloway: **Ya**
(Id, lines 281-289)

dd. Renee 1, 505-399-5987: How long n how much
Cornelius Galloway: **Did he get there**
Renee 1, 505-399-5987: Hey how much did you tell him ..? Cuz I jus counted n theres only 103.....
Cornelius Galloway: **Just a hundred**
Renee 1, 505-399-5987: Oh ok... can i have the 3\$ then? Lol
Cornelius: **Yes**
(Id, lines 290-295)

ee. Cornelius Galloway: **Get rwady we about to pull up**
Cornelius Galloway: **Be reasy for on oc**
(Id, lines 296-297)

Conversations 'cc' through 'ee' are again examples of co-conspirator Cornelius Galloway arranging the commercial sex acts and maintaining the victims. These statements were made in furtherance of the conspiracy.

ff. K.T., 505-570-6178: An im sorry about the way I acted lastnight I had to have marcus explain why I was wrong
Cornelius Galloway: **Ok**
K.T., 505-570-6178: I do apologize
(Id, lines 298-300)

gg. T.S., 575-291-3706: I miss u I learned my lesson
T.S., 575-291-3706: I wanna come back home
Cornelius Galloway: **Call me**

T.S., 575-291-3706: Can I call u when I am alone I am around a lot of people and I feel so alone

T.S., 575-291-3706: Sorry wifi kept going out

Cornelius Galloway: **We'll call me from somebody else phone**
(Id, lines 301-306)

hh. K.T., 505-570-6178: Um im leavin cause its way to much for me

Cornelius Galloway: **Bitch you better be still**

K.T., 505-570-6178: I needa leave the hood

K.T., 505-570-6178: Or Irma

K.T., 505-570-6178: Ugh chip

Cornelius Galloway: **Get back to the house so we can go**
(Id line 307-312)

ii. Cornelius Galloway: **Go to the bus stop**

T.S., 575-291-3706: Ok wat do I do until then

T.S., 575-291-3706: After I go to the bust stop

Cornelius Galloway: **Tobster wait at the bus stop till we get the ticket they cant kick u out of. That building.**

Cornelius Galloway: **U needa stop doin dumb atuff tobster.**

T.S., 575-291-3706: So are u getting the ticket

Cornelius Galloway: **Yes**

T.S., 575-291-3706: Thank you I learned my lesson this time I will listen and be good I promise.

(Id, lines 313-320)

jj. Cornelius Galloway: **What the fuck are y'all doing pick up your fucking phone for take them**

Cornelius Galloway: **Pick up the fucking phone**

(Id, lines 321-322)

kk. T.S., 575-291-3706: Im on the bus are u going to pick m eup when I get back homr

Cornelius Galloway: **Yes**

T.S., 575-291-3706: Okay:) i promise no more faging off also my bus arrives at 1:25 in the morning at night u kno the dark morning

Cornelius Galloway: **Okay I'll be there**

(Id, lines 323-326)

ll. K.T., 505-570-6178: Chip I swear this stupid phone be hangin up or the wifi dose it idk

Cornelius Galloway: **It's probably because your way up there in that room don't worry about it just be ready to work**

K.T., 505-570-6178: K both of us

Cornelius: **Yes just get up and get ready for today**

(Id, lines 327-330)

mm. T.S., 575-291-3706: U don't want to know how the old lady is doing lol jk I beat my feet wasn't easy but I made the money

Cornelius Galloway: **That's good I'm proud of you I hope you learned your lesson**

(Id, lines 331-332)

nn. Cornelius Galloway: **Both y'all be ready right now I'm going to come and get you**

K.T., 505-570-6178: Ok

Cornelius Galloway: **Both of y'all come down right now** Cornelius Galloway: **Come on before I fucking leave** (Id, lines 333-336)

oo. T.S., 575-291-3706: When u coming by

Cornelius Galloway: **Now because we have to have a meeting so all y'all get ready**

(Id, lines 338-339)

pp. Cornelius Galloway: **werr are u at**

Cornelius Galloway: **Hello xll me**

T.S., 575-291-3706: I am ob san mateo and manuel sitting at the bus stop by the mitel 6 on san mateo

Cornelius Galloway: **You better stav right there**

T.S., 575-291-3706: Yes sir I am going to be sitting on that bench

(Id, lines 340-344)

qq. T.S., 575-291-3706: He said he only gits 120

Cornelius Galloway: **He only gets 30 minutes**

Cornelius Galloway: **where are you at**

T.S., 575-291-3706: The circle k hurry

Cornelius Galloway: **Why are you at the Circle K**

T.S., 575-291-3706: Because I¹⁰ were not there when I left and I had to get out quick

Cornelius Galloway: **What the fuck are you doing that I thought you ran off with his money**

(Id, lines 345-351)

rr. T.S., 575-291-3706: See I missed u and I wanted to come back but I don't care enough cuz I thou

T.S., 575-291-3706: Thought u cared but I leave for one day and u say fuck you straight I knew u were like everybody else just giving up on me and that why I kept leaving is cuz everybody gives up on me nad nobody has stayed by mysidw so I make people give up on me before I start getting to attached I kinda started thinking

¹⁰ The Government believes this is a common auto-correct error on the text message. When T.S. typed "u" (to mean "you") her phone auto-corrected to "I." See T.S.'s use of "u" in the following conversation 'rr' for example. It is believed the text was supposed to say "Because u were not there..."

you was d?different but you proved to me that I are just like everyone else amho
T.S., 575-291-3706: Smh
Cornelius Galloway: **Only how I'm going to let you come back is if you bring another girl**
(Id, lines 352-355)

ss. T.S., 575-291-3706: we're u at
Cornelius Galloway: **Home**
Cornelius Galloway: **Did you get any money tonight**
(Id, lines 356-358)

Conversations 'ff' through 'ss' involve relationships between Cornelius Galloway and T.S., and Cornelius Galloway and K.T. The texts show both women being apologetic about falling out of line. Cornelius Galloway's statements to them vary between trying to be somewhat comforting to giving them direct and aggressive orders. Cornelius's statements ultimately cause both women to return and resume commercial sex acts on behalf of the Galloway Organization, thus furthering the conspiracy. The conversations also show the deterioration of the working "relationship" with T.S.—she leaves again after an apparent falling out, and when she asks to come back, Galloway tells her she can only come back if she brings another girl (line 355). The statement furthers the conspiracy because it is made to bring one girl back while obtaining an additional girl to sell.

tt. Cornelius Galloway: **Play game if you want to All I'm gonna do is go over to your dad's house and show him your Backpage**
(Id, line 359)

The statement in 'tt' is uttered as a direct and unequivocal threat. The above statement is logically construed to state that if the victim continues to "play game," Cornelius is going to show her dad her Backpage advertisements. This is a coercive statement uttered for the purpose of controlling the victim's behavior through threatened consequences. For that reason, it furthers the conspiracy.

uu. Cornelius Galloway: **Did they do come back for the 2 girl special**
Renee 2, 505-410-4811: Nope n she say no body was at door
(Id, line 360-361)

vv. Cornelius Galloway: **is she done**

Renee 2, 505-410-4811: No he didntgtw here till 845

Cornelius Galloway: **Ok**

Cornelius: **When she gets done come on I'm outside**

Renee 2, 505-410-4811: ok am I goin somewhere? Lol... n all of us??

Cornelius Galloway: **Just Little mama 2 [M.V.]**

Renee 2, 505-410-4811: ok

Renee 2, 505-410-4811: She still ib there

Cornelius Galloway: **He needs to go**

Renee 2, 505-410-4811: I kno I jus text her

Cornelius Galloway: **ok**

M.V., 505-267-0877: Gonna stay a little longer another 100 dollars

Cornelius Galloway: **ok**

(Id, lines 362-374)

ww. M.V., 505-267-0877: May I have more Coke and weed later please

Cornelius Galloway: **Yes**

M.V., 505-267-0877: Thank you

Cornelius Galloway: **No problem that's my job is getting what you want and 2 take care of you**

(Id, lines 378-381)

xx. M.V., 505-267-0877: How long

Cornelius Galloway: **20 minutes 100**

M.V., 505-267-0877: Okay

Cornelius Galloway: **No it's an hour for \$180**

M.V., 505-267-0877: Okay

(Id, lines 382-386)

Conversations 'uu' through 'xx' are believed to have occurred during the time M.V. was victimized. Cornelius statements are examples of how the victims, including M.V. were maintained. These statements were made in furtherance of the conspiracy.

yy. Cornelius Galloway: **I'm at home now get ready because you have somebody coming up for a half an hour for 120**

(Id, line 387)

zz. Cornelius Galloway: **Answer the fucking door**

(Id, line 388)

aaa. Juvenile J, 505-886-5240: I'm done

Cornelius Galloway: **ok be right there**

Juvenile J, 505-886-5240: Kk

Cornelius Galloway: **Somebody is there right now for a little mama 1 70 a qv**

(Id, lines 389-392)

bbb. Cornelius Galloway: **Somebody is on their way up there for OV** Juvenile J, 505-886-5240: For me?

Cornelius Galloway: **For little mama 1**

Juvenile J, 505-886-5240: For how much 80?

Cornelius Galloway: **70**

Juvenile J, 505-886-5240: He just got here k

Cornelius Galloway: **K**

Juvenile J, 505-886-5240: She done

Cornelius Galloway: **Ok be right there**

Juvenile J, 505-886-5240: Okay

Juvenile J, 505-886-5240: We need drugzz

Cornelius Galloway: **Ok**

Juvenile J, 505-886-5240: I want blk¹¹ tho

Cornelius Galloway: **Ok**

Cornelius Galloway: **Somebody pulling up for little mama 2 hours for \$140**

Cornelius Galloway: **I meant they're pulling up right now for 30 minutes and that will be \$140 and it's for you**

Juvenile J, 505-886-5240: Okay

Cornelius Galloway: **Is he done yet**

Juvenile J, 505-886-5240: Yeah he just left

Juvenile J, 505-886-5240: Chip I relllyy want black doss

Juvenile J, 505-886-5240: Doe

Cornelius Galloway: **I got it**

Juvenile J, 505-886-5240: Yay!¹²

Cornelius Galloway: **Make sure that room is clean and come down now.**

(Id, lines 393-416)

ccc. Renee 2, 505-444-4207: I'm sorry but it's going to be a nightmare if I have to do another without putting something in me I haven't been able to get well since last night due to my points being old it's so uncomfortable and awkward doing this from jump but being super sick needing to barf etc is making it really really uncomfortable idk but yea I feel the worst and sincerely don't wanta do another unless I'm well cause really might throw up and some sorry for the language but it's the truth

Cornelius Galloway: **Okay it's on this way**

Renee 2, 505-444-4207: To you or to me?

Cornelius Galloway: **To me.**

(Id, lines 418-421)

¹¹ The Government believes that "blk" means "black," which is common street slang for heroin.

¹² In this message, "Yay!" is apparently followed by several emojis. It is unclear what these are from the phone dump.

Conversations yy. through ccc. involve Juvenile J and Renee 2. Cornelius's statements contain the same themes as discussed before, namely control and maintenance of victims. The statements further the conspiracy because Cornelius arranges and inquires about "dates." He orders Juvenile J around and offers to help Renee 2 continuing "working" on a difficult day.

ddd. Cornelius Galloway: **Okay be right there she will**

Juvenile J, 505-886-5240: I'm scared to go back

Juvenile J, 505-886-5240: Come in 10

Cornelius Galloway: **Why are you scared to come back**

Juvenile J, 505-886-5240: I don't wanna get beat

Juvenile J, 505-886-5240: ;o

Cornelius Galloway: **Have I ever beat you**

Juvenile J, 505-886-5240: Come now to the MC dondls

Juvenile J, 505-886-5240: On Paseo n San pedro

Juvenile J, 505-886-5240: Hurry

Juvenile J, 505-886-5240: No u haven't

Cornelius Galloway: **She's on her way now**

Juvenile J, 505-886-5240: K to the McDonalds

Cornelius Galloway: **Okay I'm fixing to text her now and tell her that you at the McDonald's**

Juvenile J, 505-886-5240: Yeah

Juvenile J, 505-886-5240: What car she in?

Cornelius Galloway: **Toby's Malibu**

Juvenile J, 505-886-5240: What's Toby's name on backpage?

Cornelius Galloway: **Not that Toby the white boy Toby**

Juvenile J, 505-886-5240: Tell her were in a trail blazer with tinted windows

Cornelius Galloway: **ok**

Juvenile J, 505-886-5240: I know but im wondering her name cause I got her a John

Cornelius Galloway: **Nicole**

(Id, lines 422-444)

Again, conversation 'ddd' shows the re-recruitment of Juvenile J. in that Cornelius Galloway makes statements to get her to come back and work for him. It also shows an acceptance of the idea that Juvenile J would obtain a john for T.S. Indeed, he gives out T.S.'s Backpage name for this purpose. These statements were made in furtherance of the conspiracy.

eee. Cornelius Galloway: **Are you done yet**

Renee 2, 505-444-4207: Yes sorry the text didn't go through just saw

Cornelius Galloway: **okay somebody else on that way right now too so hurry up**

and clean up

Renee 2, 505-444-4207: For how long and how much

Cornelius Galloway: **the same**

Renee 2, 505-444-4207: Kay

Cornelius Galloway: **You got another one coming for the same thing**

Renee 2, 505-444-4207: Ok so like two or what do you mean cause the first one hasn't even came yet.

(Id, lines 445-452)

Again, this conversation shows more maintenance of the victims and was made in furtherance of the conspiracy.

fff. Juvenile J, 505-886-5240: So yea thank you for letting me come over here and spend time with them we're having a good time

Cornelius Galloway: **Okay just chill and call me when you ready**

Juvenile J, 505-886-5240: Oh yea and I do have Wi-Fi cuz I got an Xfinity password and okay thank you if it gets too late and you want me to go back just let me know

Cornelius Galloway: **Just down here and chill over there with your family and have a good time just keep locking in with me though**

(Id, line 463-466)

ggg. Cornelius Galloway: **I will be to get you in the morning**

(Id, line 467)

hhh. Cornelius Galloway: **Get ready by 8 o'clock**

Juvenile J, 505-886-5240: Yeah

Cornelius Galloway: **Come on say goodbye to your mom and dad let's go**

Cornelius Galloway: **I know you got my motherfucking text nobody no motherfucking dance with me.**

(Id, lines 468-471)

iii. Cornelius Galloway: **Where are you at you need to get around her or have me to come pick you up now I've been waiting up here for you for 4 hours**

Juvenile J, 505-886-5240: I've been at my moms where else

Cornelius Galloway: **Come on I'm outside**

(Id, line 472-474)

Text conversations 'fff', 'ggg', and 'hhh' occurred on November 24, 2016, which was Thanksgiving Day, while conversation 'iii' occurred shortly after midnight the next morning. It appears from the context that Cornelius Galloway allowed Juvenile J to spend time with her family on Thanksgiving, which is the day after Juvenile J alerted Cornelius Galloway as to the whereabouts of

M.V. after M.V. ran away. Read in context, Galloway's concession appears to "reward" Juvenile J's loyalty. However, when Juvenile J does not "keep locking in" with Cornelius, it becomes a problem for him, and he scolds her and orders her to come back to continue engaging in commercial sex work. Under the circumstances, these statements were made in furtherance of the conspiracy.

jjj. Chocolate, 505-780-9948: 3 tooth brushes some toothpaste two brushes 3 separate deorarents more ham & cheese & two big sodas any kind & also a charger and some quitips

Cornelius Galloway: **ok**

Chocolate, 505-780-9948: thank you

Cornelius Galloway: **You're welcome**

(Id, lines 475-478)

kkk. Chocolate, 505-780-9948: Its he coming ?

Cornelius Galloway: **No I think he was on some bullshit**

Chocolate, 505-780-9948: okay well ima tell the girls to come downstairs

Cornelius Galloway: **Ok**

(Id, lines 479-482)

lll. Cornelius Galloway: **Bitch you did not have to block my number you act like you somebody**

Chocolate, 505-780-9948: Free Msg: Receiver 15057809948 unable to receive message – Message Blocking is active.

(Id, lines 492-493)

Conversations 'jjj' through 'lll' show the same themes as discussed above but as it relates to a different victim. This particular arrangement was short lived, but ends with aggressive statements towards "Chocolate" when she blocks his number. Conversation 'jjj' demonstrates maintenance of this woman. Conversations 'kkk' and 'lll' are punishment for her non-compliance. Therefore, these statements were made in the course of and in furtherance of the conspiracy.

mmm. K.T., 682-551-6022: aye chip

Cornelius Galloway: **who is this**

K.T., 682-551-6022: [K.T.]

Cornelius Galloway: **Where you at you ready to come back to work**

K.T., 682-551-6022: I'm in dallas

K.T., 682-551-6022: Indeed I miss yall u'm hone sick than a bitch

Cornelius Galloway: **Shouldn't have left we finna get fucked up tonight**

K.T., 682-551-6022: I wanna come home I'm stuck ina country wit noting can't go there aint no money I berly get to call or text no one

Cornelius Galloway: **What? ?????????????**

K.T., 682-551-6022: I hate it out here

K.T., 682-551-6022: I wanna come home

Cornelius Galloway: **Why did you got down there in the first place**

K.T., 682-551-6022: Cause I felt I just needed to

K.T., 682-551-6022: Please chip I wanna come home

Cornelius Galloway: **Call me**

(Id, lines 494-508)

nnn. Unknown individual using K.T.'s phone, 682-551-6022: [K.T.] said help her get out of jail fam

Cornelius Galloway: **You tell that bitch and she don't stop it I'm going to come down there just to slap her ass**

(Id, lines 509-510)

Conversations 'mmm' and 'nnn' show the latest re-recruitment of K.T. Cornelius's statements first serve cause her to come back and work (mmm), and devolve in Cornelius wanting her to know that he is going to come to her and physically batter her. These statements were made in furtherance of the conspiracy.

ooo. Juvenile J, 505-203-4528: I'm kinda scared to go Cornelius

Galloway: **Trust me you have nothing to be afraid of**

Cornelius Galloway: **I just don't want to see you doing that bad you know we do care for you**

Juvenile J, 505-203-4528: Yeah but I've made you loose out on quite a bit of money and last time Jamilla did that to me because of that reason

Cornelius Galloway: **Jamilah do what I tell her to do and trust me that's far from her mind**

Cornelius Galloway: **You didn't make us lose out on a lot of money I was doing things the wrong way buy how I used to get mad and treat you**

Juvenile J, 505-203-4528: Okay, am I going to be coming back home tonight?

Cornelius Galloway: **Ok**

Juvenile J, 505-203-4528: Whaat?

Juvenile J, 505-203-4528: Whaat?

Cornelius Galloway: **You said you was going back home and I said okay**

(Id, lines 511-5521)

In this communication 'ooo', Cornelius Galloway is recruiting Juvenile J to start working for him again. His statements are made to put her at ease about coming back to the Galloway Organization

after an apparent falling out, and Cornelius is telling her it will not be the way it was before. The communication ends with Cornelius telling her it is ok to come back home, i.e., back to the Galloway Organization. These statements were made in furtherance of the conspiracy.

ppp. Cornelius Galloway: **What's up**

Juvenile J, 505-203-4528: If your around do you think you can bring me a couple
cigs please? I also told my mom about the Jamar thing

Cornelius Galloway: **Okay my brother is going to call you to come outside**

Juvenile J, 505-203-4528: Okay is he gonna come to me?

Cornelius Galloway: **Ya**

(Id, lines 522-526)

qqq. Cornelius Galloway: **Get ready and come out**

(Id, line 527)

rrr. Juvenile J, 505-203-4528: I need a t of some clear

Cornelius Galloway: **What's up**

Cornelius Galloway: **Dial my brother**

(Id, lines 528-530)

The last three conversations indicate that Juvenile J is working for the Galloway Organization once again. Cornelius Galloway gives her instructions to get ready and come out. And, as was the common theme, Juvenile J would request narcotics in the course of her work, and Cornelius granted her requests. These statements were made in the course of and in furtherance of the conspiracy.

15. Text messages between Cornelius “Chip” Galloway and the other named co-conspirators.

There are text messages between Cornelius Galloway and Danielle Galloway (color keyed in orange), Marcus Taylor (gold/yellow), and Matthew Woods (yellow). Text messages by Matthew Woods are admissible as statements by a party opponent under Fed. R. Evid 801(d)(2)(a) if presented by the Government. Danielle Galloway is saved in Cornelius Galloway’s phone as “*Wife.” Marcus Taylor is saved as “bro Lil.” Matthew Woods’ name is not saved, but Matthew Woods identifies himself as “Staxx” when communicating with Cornelius Galloway.

- a. Danielle Galloway, 505-388-3131: **Had to change hotels they closed the office at 7 so has to make a new reservation at a different hotel.**"

(Exhibit 1A, line 417).

At the time of this message, the Galloways were conducting business out of hotel rooms. This statement by Danielle Galloway was made in furtherance the conspiracy because it informs another co-conspirator of where they will be continuing their commercial sex activities.

- b. Danielle Galloway, 505-388-3131: **Renee watz the clear.**¹³
(Id, line 453).

This conversation shows that Renee, one of the uncharged trafficking victims, would like some methamphetamine. Danielle's message is found in the middle of communications to and from Renee about Renee performing commercial sex acts, therefore Renee's order for methamphetamine is made while she is being engaged in prostitution at the Galloways behest. Danielle forwarding the order for drugs means that her text message was made in furtherance of the conspiracy because it helped provide narcotics to a victim to facilitate her performing commercial sex acts.

- c. Danielle Galloway, 505-388-3131: **she didn't answer babe I called you like 4 times I would have me to do.**" (Id. Line 462).

This message was sent during the time frame Juvenile J was communicating with Cornelius Galloway regarding completing commercial sex acts. Danielle's text message was made in furtherance of the conspiracy as it seeks advice from Cornelius on what to do about not being able to get in touch with one of the girls.

- d. Cornelius Galloway: **where are you at.**
Matthew Woods, 505-445-1716: 215
Cornelius Galloway: **come out to the street right now.**
(Id, lines 375-377)
- e. Matt Woods, 317-998-0163: You want some zanies
Cornelius Galloway: **Ya**

¹³ "Clear" is common street slang for methamphetamine.

Matthew Woods, 317-998-0163: Where you at

Cornelius: **I'm at home**

Matt Woods, 317-998-0163: How much for the ruger

Cornelius Galloway: **300**

Matt Woods, 317-998-0163: I'm coo

Matt Woods, 317-998-0163: Really 300 I didn't do you that bad when I sale you anything lol smh

(Id, lines 483-490)

Matt Woods, 317-998-0163: I was trying to give you the thang for 175 bro

(Id, line 491)

While Mr. Woods' statements are statements by a party opponent, Cornelius Galloway's side of conversation 'd' furthers the conspiracy by arranging a face to face meeting with Mr. Woods after determining his whereabouts. Exhibit 1A shows that this exchange occurred on November 10, 2016 and Booking.com records show that Danielle Galloway had booked a room for that date at the Howard Johnson at 900 Medical Arts in Albuquerque, New Mexico. Cornelius Galloway's statements to Mr. Woods here are alternatively admissible because they are not assertions under Fed. R. Evid. 801. Mr. Galloway asks a question and then follows up with an order. Therefore, they are non-hearsay and are admissible.

As for conversation 'e', SA Pharis testified that "zanies" are a slang term for Xanax, which was the drug that the Galloway Organization provided to Juvenile M. SA Pharis further testified that the terms "ruger" and "thang" both refer to a firearm. The Government will present further evidence at trial that both Cornelius Galloway and Matthew Woods possessed firearms in the course of their sex trafficking activities and used them as tools of force and coercion. Communications between the two of them referencing selling each other firearms are therefore made in the course and furtherance of the conspiracy. While Matthew Woods' statement in line 491 is sent some time after the texts immediately above it, it is admissible as a statement by party opponent, and offers context to the conversation above in in lines 487-490.

- f. Marcus Taylor: 505-448-9104: “Can’t talk now. What’s up?”
Cornelius Galloway: **Bro the police is around the corner on foot.**
(Id, lines 165-166)

Galloway’s statement about the police being around the corner is in furtherance of the conspiracy because it is uttered to prevent a co-conspirator’s detection by police, therefore furthering the objectives of the conspiracy.

- g. Marcus Taylor, 505-448-9105: **Soo we stil in the lobby.**
(Id, line 337)

This text message was sent after at least three instances of Cornelius Galloway ordering the women to come down from their hotel rooms (*Id.* Lines 333-336). Marcus Taylor is a co-conspirator and this message furthers the conspiracy by informing Cornelius where “we” are.

Because each of the statements contained in subsection 15 were made by co-conspirators and were made in the course of and in furtherance of the conspiracy, they are admissible in trial against Matthew Woods as co-conspirator statements under Fed. R. Evid. 801(d)(2)(E).

16. Text messages between Cornelius Galloway and unnamed individual at 505-550-5491.

- a. Unnamed individual, 505-550-5491: Don’t worry my nigga you will have yo gun and a new one by tonight don’t sweat it
Cornelius Galloway: **ok**
(Exhibit 1A, lines 542 to 543)

Cornelius Galloway’s response of “ok” to the statement above is an adoption of that statement. The Government’s evidence shows that use or brandishing of firearms was part and parcel of the Galloway Organization’s sex trafficking conspiracy. Here, Cornelius Galloway’s statement, which exhibits an intent to obtain firearms, was made in furtherance of the conspiracy because firearms play a part in the force and coercion of the victims in this case. The statement by the unnamed party is admissible because it provides the only context for Cornelius Galloway’s statement. Furthermore, the unnamed party’s statements are not being offered to prove that in fact Mr. Galloway would be

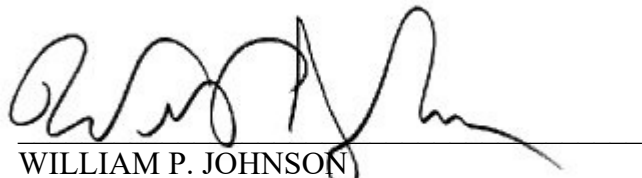
receiving his gun and a new one by that particular night, but to prove that Mr. Galloway had access to firearms during that period.

C. The Court concludes the statements contained in Part B, in subsections 1 through 16, which are typewritten in bold and underlined font, are not hearsay, and are admissible against Mr. Woods as co-conspirator statements under Fed. R. Evid. 801(d)(2)(E). All other statements are admissible for context, are not being offered for the truth of the matter asserted, or are not assertive statements that would fall under the rule against hearsay.

D. The Court concludes the statements contained in Part B, in subsections 1 through 16, are not testimonial because they were not made with an expectation to be used in a criminal prosecution. They were uttered in the course of a conspiracy to commit sex trafficking. Therefore, they are not barred by *Crawford v. Washington*, 541 U.S. 36 (2004).

E. The Court's rulings on Defendant's objections to the admission of statements contained in Part B and the evidence underlying the preliminary determination of Matthew Woods' membership in the conspiracy have been incorporated into these Findings and Conclusions.

IT IS SO ORDERED.



WILLIAM P. JOHNSON
CHIEF UNITED STATES DISTRICT JUDGE